

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DREW DION GALLINEAUX,

Defendant.

CR-20-38-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on August 7, 2024. (Doc. 61.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on August 6, 2024. (Doc. 60.) The United States accused Drew Gallineaux (Gallineaux) of violating his conditions of supervised release by: (1) failing to comply with substance abuse testing requirements on June 12, 2024; (2) leaving the scene of a traffic accident on

June 13, 2024; (3) using methamphetamine on June 14, 2024; (4) using marijuana and alcohol on June 15, 2024; (5) failing to notify his probation officer of a change of employment within 72 hours by failing to report the termination of his employment for not showing up at his job since his release from custody on June 25, 2024; (6) using K2 spice, a synthetic stimulant; (7) failing to comply with substance abuse treatment requirements by missing his treatment group without permission of his probation officer on July 23, 2024; and (8) failing to notify his probation officer of a change of employment within 72 hours after being terminated from his employment on July 25, 2024. ((Docs 48 and 57.)

At the revocation hearings Galleneaux admitted to having violated the conditions of his supervised release by: (1) failing to comply with substance abuse testing requirements on June 12, 2024, and by (3) using methamphetamine on June 14, 2024. Galleneaux then admitted, with explanation, that he had violated the conditions of supervised release as set forth in the Amended Petition by: (5) failing to notify his probation officer of a change of employment within 72 hours by failing to report the termination of his employment for not showing up at his job since his release from custody on June 25, 2024; (6) using K2 spice, a synthetic stimulant; (7) failing to comply with substance abuse treatment requirements by missing his treatment group without permission of his probation officer on July 23, 2024; and (8) failing to notify his probation officer of a change of employment

within 72 hours after being terminated from his employment on July 25, 2024..

(Doc. 60.)

Judge Johnston found that the violations Gallineaux admitted prove serious and warrants revocation of his supervised release and recommends a sentence of 3 months, with 21 months of supervised release to follow. (Doc.61.)

The violation proves serious and warrants revocation of Galleneaux's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 61.) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Drew Dion Gallineaux be sentenced to a term of custody of 3 months, with 21 months of supervised release to follow.

DATED this 27th day of August, 2024.



Brian Morris, Chief District Judge
United States District Court